

Case No. 3:25-mj-14

3:25-mj-17

3:25-mj-18

3:25-mj-19

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Jeremy M. Wasser, being duly sworn, depose and say:

1. I am a Special Agent with Homeland Security Investigations (HSI) within the Immigration and Customs Enforcement (ICE), Department of Homeland Security (DHS) and have been so employed since January 2019. As a Special Agent with HSI, I am authorized to investigate crimes involving violations of federal law, to include: Chapter 73 of Title 18 and Chapter 12 of Title 8 of the United States Code (U.S.C.). Prior to becoming an HSI Special Agent, I served as a Criminal Investigator with the Department of Defense (DOD), Pentagon Force Protection Agency (PFPA) from March 2015 to January 2019. I also served as an ICE Deportation Officer in Richmond, Virginia from December 2009 to March 2015, and a United States Border Patrol Agent in El Paso, Texas from August 2007 to December 2009.

2. I am a graduate of the Federal Law Enforcement Training Center (FLETC) located in Glynco, Georgia. At FLETC, I was trained in, among other things, criminal investigative techniques and violations of U.S. criminal and immigration laws. While working for HSI, I have conducted and participated in various investigations of violations of federal law, including criminal violations of the Immigration and Nationality Act (INA). I am empowered by law to investigate and make arrests for federal violations, including obstruction of immigration proceedings, and to execute warrants issued under the authority of the United States.

3. The facts and information contained in this affidavit are based upon my personal knowledge as well as the observations of other agents involved in this investigation. All observations not personally made by me were relayed to me by the individuals who made them or

were conveyed to me by my review of records, documents, and other physical evidence obtained during this investigation.

4. This Affidavit contains information necessary to support probable cause for this application. This Affidavit is not intended to include each, and every fact and matter observed by me or known to the Government.

RELEVANT STATUTORY PROVISIONS

5. Based on the facts set forth in this Affidavit, there is probable cause to believe that criminal violations of 8 U.S.C. § 1253, Failure to Comply with Removal, were committed by Jose LOVO-Bautista, Jose RODRIGUEZ-Rosales, and Wilmer ISAOLA-Medina, and that there is probable cause to believe that a criminal violation of 18 U.S.C. § 751, Escape from Federal Custody, was committed by Byron TOLEDO-Henriquez, all in the Eastern District of Virginia.

PROBABLE CAUSE

6. On March 02, 2025, at approximately 2030 hours, HSI Special Agents (SAs) assigned to the Richmond, Virginia office were notified of the escape of four (4) detainees from the Immigration Centers of America (ICA), Farmville Detention Center (FDC) located at 508 Waterworks Road, Farmville, Virginia 23901. FDC is a secure civil detention center contracted by ICE to house foreign nationals in various stages of immigration removal proceedings. FDC is in Farmville, Virginia and falls within the jurisdiction of the U.S. District Court of the Eastern District of Virginia.

7. ICA Farmville investigators reported that between the hours of 1417 and 1446, Jose LOVO-Bautista, Byron TOLEDO-Henriquez, Jose RODRIGUEZ-Rosales, and Wilmer ISAOLA-Medina scaled over the outer perimeter fence surrounding FDC and their whereabouts were unknown. The facilities' video surveillance system captured and confirmed all four (4) detainees

successfully landed outside the detention facility without permission or intention of returning thereby obstructing and impeding the proper administration of the law under which any pending proceeding is being had before any department or agency of the United States.

8. LOVO-Bautista is a citizen and national of El Salvador, assigned Alien Registration Number (A#) 216 641 023, who has a final order of removal by reason of being a member of any of the classes described in 8 U.S.C. § 1227(a), and was previously removed from the United States to El Salvador on June 18, 2021. LOVO-Bautista then illegally re-entered the United States at an unknow location and at unknow time. ICE Enforcement and Removal Operations (ERO) Officers encountered LOVO-Bautista at the Rappahannock Regional Jail and subsequently arrested him on January 16, 2025. ERO Officers reinstated LOVO-Bautista's initial order of removal, transported him to FDC, and cleared him for removal to El Salvador. LOVO-Bautista was pending a removal flight to El Salvador when he escaped from FDC thereby taking an action, designed to prevent or hamper or with the purpose of preventing or hampering the alien's departure.

9. RODRIGUEZ-Rosales is a citizen and national of Mexico, assigned A#209 809 864, who failed to comply with a voluntary departure order from an immigration judge in Miami, Florida. RODRIGUEZ-Rosales was issued a final order of removal by reason of being a member of any of the classes described in 8 U.S.C. § 1227(a) on June 06, 2019. ERO Officers encountered RODRIGUEZ-Rosales during a targeted enforcement action in Richmond, Virginia on February 26, 2025. ERO Officers arrested RODRIGUEZ-Rosales due to the order of removal, transported him to FDC, and cleared him for removal to Mexico. RODRIGUEZ-Rosales was pending a removal flight to Mexico when he escaped from FDC thereby taking an action, designed to prevent or hamper or with the purpose of preventing or hampering the alien's departure.

10. ISAOLA-Medina is a citizen and national of Honduras, assigned A#201 754 706, who has a final order of removal from an immigration judge in Los Angeles, California. ISAOLA-Medina was issued a final order of removal by reason of being a member of any of the classes described in 8 U.S.C. § 1227(a) on July 27, 2023. ERO Officers encountered ISAOLA-Medina during a targeted enforcement action in Richmond, Virginia on February 26, 2025. ERO Officers arrested ISAOLA-Medina due to the order of removal, transported him to FDC, and cleared him for removal to Honduras. ISAOLA-Medina was pending a removal flight to Honduras when he escaped from FDC thereby taking an action, designed to prevent or hamper or with the purpose of preventing or hampering the alien's departure.

11. TOLEDO-Henriquez is a native and citizen of El Salvador, assigned A# 240 399 714, who does not have a final order of removal. ERO Officers arrested TOLEDO-Henriquez at the Chesterfield County Jail on January 15, 2025, and issued him a Notice to Appear (NTA). TOLEDO-Henriquez was being held in detention at FDC and had a scheduled immigration hearing for March 05, 2025, when he escaped from ICE custody.

CONCLUSION

11. Based on the foregoing, I submit that there is probable cause for the arrest of Jose LOVO-Bautista, Jose RODRIGUEZ-Rosales, and Wilmer ISAOLA-Medina for the violations of 8 U.S.C. § 1253, Failure to Comply with Removal. Additionally, there is probable cause for the arrest of Byron TOLEDO-Henriquez for a violation of 18 U.S.C. § 751, Escape from Federal Custody.



Jeremy M. Wasser, Special Agent
United States Department of Homeland Security
Homeland Security Investigations

Sworn to and subscribed to before me
this 3rd day of March, 2025.



Hon. Mark R. Colombell
United States Magistrate Judge